UNITED
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A

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9 June 1997

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Fifty-first session
Agenda item 136

FINANCING OF THE UNITED NATIONS ASSISTANCE MISSION FOR RWANDA

Report of the Fifth Committee

Rapporteur: Mr. Ihor V. HUMENNY (Ukraine)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 20 September 1996, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-first session the item entitled "Financing of the United Nations Assistance Mission for Rwanda" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 12th, 15th, 64th and 70th meetings, on 23 and 29 October 1996 and on 27 May and 6 June 1997. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/51/SR.12, 15, 64 and 70).

3. For its consideration of the item, the Committee had before it the reports of the Secretary-General (A/50/712/Add.3 and A/51/830) and the related reports of the Advisory Committee on Administrative and Budgetary Questions (A/51/474 and A/51/891).

II. CONSIDERATION OF DRAFT DECISION A/C.5/51/L.64

4. At the 70th meeting, on 6 June 1997, the representative of Zimbabwe introduced a draft decision entitled "Financing of the United Nations Assistance Mission for Rwanda" (A/C.5/51/L.64), submitted by the Chairman on the basis of informal consultations.

5. At the same meeting, the Committee adopted draft decision A/C.5/51/L.64 without a vote (see para. 6).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft decision:

Financing of the United Nations Assistance Mission for Rwanda

The General Assembly, having considered the report of the Secretary-General on the financing of the United Nations Assistance Mission for Rwanda,[1] the related report of the Advisory Committee on Administrative and Budgetary Questions[2] and the report of the Board of Auditors,[3]

(a) Endorses the findings and recommendations contained in the reports of the Advisory Committee on Administrative and Budgetary Questions and the Board of Auditors;

(b) Takes note of the additional requirements in the amount of 5,046,900 United States dollars gross (5,011,600 dollars net) for the operation of the Assistance Mission for the period from 1 January to 30 June 1996, and decides to authorize the Secretary-General to utilize credits arising from the liquidation of obligations pertaining to prior periods in an equal amount to meet the additional requirements;

(c) Decides also to reduce the appropriation for the period from 10 June to 31 December 1995 authorized under the terms of its resolution 49/20 B of 12 July 1995 from 109,951,900 dollars gross (107,584,300 dollars net) to 99,628,200 dollars gross (97,508,000 dollars net) to reflect the amount apportioned under the terms of that resolution;

(d) Decides further to include in the provisional agenda of its fifty-second session the item entitled "Financing of the United Nations Assistance Mission for Rwanda".

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[1] A/51/830.

[2] A/51/891.

[3] Official Records of the General Assembly, Fifty-first Session, Supplement No. 5 (A/51/5), vol. II.

UNITED NATIONS **A S**

General Assembly
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11 June 1997
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GENERAL ASSEMBLY
Fifty-first session
Agenda item 33
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-second year

Letter dated 9 June 1997 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government and further to our earlier letters concerning Israel's attacks on southern Lebanon and the Western Bekaa and the arbitrary practices against the civilian inhabitants in which it engages on a daily basis, I have the honour to notify you of the series of such incidents that took place during May 1997.

1 May 1997

At 1330 hours Israeli warplanes overflew the Nabatiyah and Iqlim al-Tuffah areas at low altitude.

3 May 1997

At 1400 hours outlying areas of Arabsalim, Jarju', Jba', Ayn Bu Siwar, Ayn Qana, Kafr Fila and the Mlita and Jabal Safi hills came under Israeli artillery fire.

At 1515 hours the Ayn al-Tinah hills in the Western Bekaa district came under artillery fire from Israeli and Lahad forces positions in the border strip. At 1545 hours the Qilya hills came under intermittent artillery fire. The shelling of the Qilya and Ayn al-Tinah hills ceased at 1700 hours and was renewed at 1900 hours, when it extended to the southern outskirts of Mashgharah.

5 May 1997

At 1000 hours an explosive charge was detonated on the Burj al-Muluk road in Marj Uyun district injuring four persons.

At 1135 hours Israeli warplanes overflew the Tyre area at medium altitude.

At 1930 hours outlying areas of Jarju', Arabsalim and Ayn Bu Siwar and the Mlita and Jabal Safi hills came under Israeli artillery fire.

6 May 1997

At 1125 hours five explosive charges were detonated in Nabatiyah, killing Ibrahim Nasir al-Din and Majid Jabir and wounding a number of other persons.

At 1540 hours the Jabal Ayn al-Tinah heights and the southern outskirts of Mashgharah in Western Bekaa district came under intermittent Israeli artillery fire.

At 1620 hours Israeli warplanes attacked the Jabal Ayn al-Tinah heights and the southern outskirts of Mashgharah. One woman was badly injured.

At 1930 hours outlying areas of Frun, Tulin, Ghanduriyah, Qabrikha and Majdal Silm came under Israeli artillery fire.

7 May 1997

At 1100 hours Israeli warplanes overflew the Nabatiyah and Iqlim al-Tuffah areas at low altitude.

At 1400 hours Israeli warplanes overflew the Iqlim al-Tuffah area at low altitude and then carried out a two-stage attack on outlying areas of Arabsalim.

At 1600 hours outlying areas of Ayn Bu Siwar, Jarju' and Arabsalim and the Mlita and Jabal Safi hills came under Israeli artillery fire.

At 2150 hours outlying areas of Kafra, Yatar, Haris, Haddatha, Ayta al-Jabal, Tibnin, Shaqra, Bra'shit and Majdal Silm came under Israeli artillery fire.

12 May 1997

At 1300 hours outlying areas of Jba', Jarju', Arabsalim and Ayn Bu Siwar and the Mlita and Jabal Safi hills came under Israeli artillery fire.

At 1400 hours Israeli warplanes attacked outlying areas of Luwayzah in the Iqlim al-Tuffah area.

At 1925 hours Israeli warplanes overflew the Nabatiyah area at low altitude, and at 1930 hours they attacked the Mlita and Jabal Safi hills.

13 May 1997

At 0730 hours outlying areas of Jarju' and Ayn Bu Siwar and areas along the Litani River in the Iqlim al-Tuffah area came under Israeli artillery fire.

At 1100 hours outlying areas of Jba', Jarju', Ayn Bu Siwar and Arabsalim and the Mlita and Jabal Safi hills came under Israeli artillery fire.

At 1630 hours Israeli shelling of outlying areas of Jba', Ayn Bu Siwar, Jarju' and Arabsalim and of the Mlita and Jabal Safi hills was renewed.

14 May 1997

At 0200 hours outlying areas of Tibnin, Safad al-Battikh, Ayta al-Jabal and Haris came under Israeli artillery fire.

At 1240 hours the vicinity of the abandoned Lebanese Army barracks in Nabatiyah al-Fawqa came under Israeli artillery fire.

At 1900 hours outlying areas of Haris, Haddatha, Kafra and Yatar came under artillery fire from Israeli and Lahad militia positions in the border strip.

At 2030 hours Israeli warplanes overflew the Nabatiyah area at medium altitude.

At 2300 hours outlying areas of Bra'shit, Shaqra, Ayta al-Jabal and Tibnin came under Israeli artillery fire.

15 May 1997

At 0630 hours outlying areas of Shaqra, Qabrikha and Majdal Silm came under Israeli artillery fire.

At 2200 hours outlying areas of Zillaya and Libbaya in the Jabal al-Dahr locality came under Israeli artillery fire. It stopped at 0100 hours.

16 May 1997

At 0630 hours outlying areas of Libbaya in the Jabal al-Dahr locality and Zillaya came under intermittent Israeli artillery fire. At the same time, Israeli warplanes made overflights of the area.

At 0750, 0800 and 0815 hours Israeli warplanes attacked outlying areas of Libbaya in the Jabal al-Dahr locality. At 1000 hours they carried out two attacks on outlying areas of the town and made overflights of the area.

At 1045, 1100 and 1107 hours Israeli warplanes attacked outlying areas of Libbaya in the Jabal al-Dahr locality, and outlying areas of Libbaya and Zillaya came under Israeli artillery fire. At the same time Israeli warplanes continued their overflights of the area. A Lebanese Army personnel carrier outside Zillaya was hit in the attack.

17 May 1997

At 1615 hours outlying areas of Yuhmur, Libbaya and Zillaya in Western Bekaa district came under artillery fire from Israeli and Lahad militia positions in the border strip.

At 1830 hours Zillaya and its environs, Jabal al-Dahr and areas along the Litani River came under heavy Israeli artillery fire.

At 2030 hours Israeli warplanes launched three attacks on the Jabal al-Dahr heights while the Israeli artillery bombardment of Yuhmur, Zillaya and Qilya and of areas along the Litani River continued. At the same time, Israeli warplanes overflew the area.

At 1930 hours members of the Israeli forces on board a naval vessel directed machine-gun fire at the shore between Ra's al-Ayn and Mansuri beach in the southern part of Tyre district.

At 2230 hours Israeli warplanes withdrew from the Western Bekaa area, while the concentrated Israeli artillery bombardment of Zillaya and Qilya and of areas along the Litani River continued.

18 May 1997

At 1600 hours Israeli warplanes attacked the Jabal al-Dahr heights, and the vicinity of Ayn al-Tinah, the Jabbur pool, Libbaya, Zillaya and Yuhmur and areas along the Litani River came under Israeli artillery fire. The shelling stopped at 1930 hours.

At 1900 hours outlying areas of Hinniyah, Mansuri and Majdal Silm in Tyre district came under Israeli artillery fire.

19 May 1997

At 0400 hours three explosive charges about four metres apart were detonated in the Sahl al-Qalilah locality in Tyre district.

At 1000 hours Israeli warplanes overflew the Na'imah hills.

At 1045 hours outlying areas of Jba', Jarju', Ayn Bu Siwar and Arabsalim came under Israeli artillery fire.

23 May 1997

At 0645 hours the vicinity of the abandoned Lebanese Army barracks in Nabatiyah al-Fawqa came under Israeli artillery fire.

At 1000 hours Israeli warplanes overflew the Nabatiyah and Iqlim al-Tuffah areas at low altitude.

24 May 1997

At 0000 hours outlying areas of Zibqin towards Jibal al-Butm in Tyre district came under heavy Israeli artillery fire in which one person was killed and several others injured.

At 1430 hours outlying areas of Zillaya and Libbaya, areas along the Litani River and Jabal al-Dahr came under Israeli artillery fire.

25 May 1997

At 1150 hours Israeli warplanes overflew Sidon and the nearby camps at medium altitude.

At 1630 hours the hills around Zillaya came under concentrated Israeli artillery fire. It stopped at 1745 hours.

26 May 1997

At 1645 hours the southern outskirts of Mashgharah, the vicinity of the vocational school and the Ayn al-Tinah hills came under Israeli artillery fire. At 1735 hours Israeli warplanes attacked the southern Mashgharah heights and the Ayn al-Tinah vicinity, firing air-to-surface missiles.

At 1930 hours outlying areas of Qabrikha, Majdal Silm, Sawwanah and Tulin came under Israeli artillery fire.

27 May 1997

For security reasons, Israeli forces prevented the inhabitants of Kafr Killa in Marj Uyun district from leaving the border strip area.

At 1945 hours outlying areas of Majdal Silm, Jumayjimah, Khirbat Silm and Sawwanah came under Israeli artillery fire.

29 May 1997

At 1830 hours outlying areas of Majdal Silm, Qabrikha and Tulin came under Israeli bombardment.

At 2045 hours Israeli warplanes overflew the Nabatiyah and Iqlim al-Tuffah areas at low altitude.

30 May 1997

At 0920 hours outlying areas of Majdal Silm, Tulin, Qabrikha and Shaqra came under Israeli artillery fire.

At 1230 hours Israeli naval forces off the Kharayib locality in Tyre district detained two fishermen. They released them at 1630 hours.

The Lebanese Government strongly condemns tne continued Israeli occupation and these fresh attacks and arbitrary practices inflicted on the Lebanese population, which have left a number of casualties and have caused further serious damage to property.

Like previous attacks, this new series is in flagrant violation of the sovereignty and independence of Lebanon and constitutes a breach of the purposes and principles of the Charter of the United Nations, of international law and of basic human rights.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 33, and of the Security Council.

(Signed) Samir MOUBARAK
Ambassador
Permanent Representative

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10 June 1997

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Fifty-first session
Agenda item 138

FINANCING OF THE UNITED NATIONS MISSION OF OBSERVERS IN TAJIKISTAN

Report of the Fifth Committee

Rapporteur: Mr. Ihor V. HUMENNY (Ukraine)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 20 September 1996, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-first session the item entitled "Financing of the United Nations Mission of Observers in Tajikistan" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 56th, 57th and 70th meetings, on 12 and 13 May and 6 June 1997. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/51/SR.56, 57 and 70).

3. For its consideration of the item, the Committee had before it the reports of the Secretary-General (A/51/784 and Add.1 and 2) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/51/850).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/51/L.65

4. At the 70th meeting, on 6 June, the Rapporteur introduced a draft resolution entitled "Financing of the United Nations Mission of Observers in Tajikistan" (A/C.5/51/L.65), submitted on the basis of informal consultations.

5. At the same meeting, the Committee adopted draft resolution A/C.5/51/L.65 without a vote (see para. 6).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the United Nations Mission of Observers in Tajikistan

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Mission of Observers in Tajikistan,[1] the related report of the Advisory Committee on Administrative and Budgetary Questions[2] and the report of the Office of Internal Oversight Services,[3]

Recalling Security Council resolution 968 (1994) of 16 December 1994, by which the Council established the United Nations Mission of Observers in Tajikistan, and the subsequent resolutions by which the Council extended the mandate of the Mission of Observers, the latest of which was resolution 1099 (1997) of 14 March 1997,

Recalling also its resolution 49/240 of 31 March 1995 on the financing of the Mission of Observers and its resolution 50/238 of 7 June 1996,

Reaffirming that the costs of the Mission of Observers are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Mission of Observers, a different procedure is required from that applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

Noting with appreciation that voluntary contributions have been made to the Mission of Observers,

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[1] A/51/784 and Add.1 and 2.

[2] A/51/850.

[3] A/51/432, annex.

Mindful of the fact that it is essential to provide the Mission of Observers with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. Takes note of the status of contributions to the United Nations Mission of Observers in Tajikistan as at 15 May 1997, including the contributions outstanding in the amount of 2,508,489 United States dollars, representing 13 per cent of the total assessed contributions from the inception of the Mission of Observers to the period ending 15 June 1997, notes that some 13 per cent of Member States have paid their assessed contributions in full, and urges all other Member States concerned, in particular those in arrears, to ensure the payment of their outstanding assessed contributions;

2. Expresses concern about the financial situation with regard to peacekeeping activities, in particular as regards the reimbursement of troop contributors, which bear burdens owing to overdue payments by Member States of their assessments;

3. Expresses its appreciation to those Member States which have paid their assessed contributions in full;

4. Urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Mission of Observers in full and on time;

5. Endorses the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions[2] and the report of the Office of Internal Oversight Services;[3]

6. Requests the Secretary-General to take all necessary action to ensure that the Mission of Observers is administered with a maximum of efficiency and economy;

7. Decides to appropriate to the Special Account for the United Nations Mission of Observers in Tajikistan the amount of 8,275,700 dollars gross (7,721,300 dollars net) for the maintenance of the Mission of Observers for the period from 1 July 1997 to 30 June 1998, inclusive of the amount of 308,000 dollars for the support account for peacekeeping operations, to be assessed on Member States at a monthly rate of 689,642 dollars gross (643,442 dollars net) in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolutions 44/192 B of 21 December 1989, 45/269 of 27 August 1991, 46/198 A of 20 December 1991, 47/218 A of 23 December 1992, 49/249 A of 20 July 1995, 49/249 B of 14 September 1995, 50/224 of 11 April 1996 and 51/218 A and B of 18 December 1996 and its decisions 48/472 A of 23 December 1993 and 50/451 B of 23 December 1995, and taking into account the scale of assessments for the years 1997, as set out in its resolution 49/19 B of 23 December 1994 and its decision 50/471 A of 23 December 1995, and 1998,[4]

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[4] To be adopted by the General Assembly.

subject to the decision of the Security Council to extend the mandate of the Mission beyond 15 June 1997;

8. Decides also that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 7 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 554,400 dollars approved for the period from 1 July 1997 to 30 June 1998;

9. Decides further that, for Member States that have fulfilled their financial obligations to the Mission of Observers, there shall be set off against the apportionment, as provided for in paragraph 7 above, their respective share in the unencumbered balance of 1,548,000 dollars gross (1,402,800 dollars net) in respect of the period from 17 June to 15 December 1995;

10. Decides that, for Member States that have not fulfilled their financial obligations to the Mission of Observers, their share of the unencumbered balance of 1,548,000 dollars gross (1,402,800 dollars net) for the period from 17 June to 15 December 1995 shall be set off against their outstanding obligations;

11. Decides also that, for Member States that have fulfilled their financial obligations to the Mission of Observers, there shall be set off against the apportionment, as provided for in paragraph 7 above, their respective share in the unencumbered balance of 1,312,200 dollars gross (1,260,800 dollars net) in respect of the period from 16 December 1995 to 30 June 1996;

12. Decides further that, for Member States that have not fulfilled their financial obligations to the Mission of Observers, their share of the unencumbered balance of 1,312,200 dollars gross (1,260,800 dollars net) for the period from 16 December 1995 to 30 June 1996 shall be set off against their outstanding obligations;

13. Invites voluntary contributions to the Mission of Observers in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

14. Invites Member States to make voluntary contributions to the trust fund established in accordance with paragraph 13 of Security Council resolution 968 (1994);

15. Decides to include in the provisional agenda of its fifty-second session the item entitled "Financing of the United Nations Mission of Observers in Tajikistan".

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Agenda item 132

FINANCING OF THE UNITED NATIONS PEACEKEEPING FORCE IN CYPRUS

Report of the Fifth Committee

Rapporteur: Mr. Ihor V. HUMENNY (Ukraine)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 20 September 1996, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-first session the item entitled "Financing of the United Nations Peacekeeping Force in Cyprus" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 56th, 57th and 70th meetings, on 12 and 13 May and 6 June 1997. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/50/SR.56, 57 and 70).

3. For its consideration of the item, the Committee had before it the reports of the Secretary-General (A/51/755 and Corr.1 and Add.1) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/51/851 and Corr.1).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/51/L.77

4. At the 70th meeting, on 6 June, the representative of Belgium introduced a draft resolution entitled "Financing of the United Nations Peacekeeping Force in Cyprus" (A/C.5/51/L.77), submitted by the Chairman on the basis of informal consultations.

5. At the same meeting, the Committee adopted draft resolution A/C.5/51/L.77 without a vote (see para. 6).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the United Nations Peacekeeping Force in Cyprus

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the United Nations Peacekeeping Force in Cyprus[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recalling Security Council resolution 186 (1964) of 4 March 1964, by which the Council established the United Nations Peacekeeping Force in Cyprus, and the subsequent resolutions by which the Council extended the mandate of the Force, the latest of which was resolution 1092 (1996) of 23 December 1996,

Recalling also its resolution 50/236 of 7 June 1996 on the financing of the Force,

Reaffirming that the costs of the Force that are not covered by voluntary contributions are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Noting with appreciation that voluntary contributions have been made to the Force by certain Governments,

Noting the agreement of the Government of Greece that, for the period under consideration, a proportion of its annual voluntary contribution will serve to cover, in part, the United Nations obligations regarding termination benefits payable to locally employed civilian staff,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Force, a different procedure is required from that applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the States permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

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[1] A/51/755 and Corr.1 and Add.1.

[2] A/51/851 and Corr.1.

Expressing its appreciation to all those Member States and observer States which have made voluntary contributions to the Special Account established for the financing of the Force for the period prior to 16 June 1993,

Noting that voluntary contributions were insufficient to cover all of the costs of the Force, including those incurred by troop-contributing Governments prior to 16 June 1993, and regretting the absence of an adequate response to appeals for voluntary contributions, including that contained in the letter dated 17 May 1994 from the Secretary-General to all Member States,[3]

Mindful of the fact that it is essential to provide the Force with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. Takes note of the status of contributions to the United Nations Peacekeeping Force in Cyprus as at 13 May 1997, including the contributions outstanding in the amount of 13,326,013 United States dollars, representing 15 per cent of the total assessed contributions from 16 June 1993 to the period ending 30 June 1997, notes that some 23 per cent of the Member States have paid their assessed contributions in full, and urges all other Member States concerned, in particular those in arrears, to ensure the payment of their outstanding assessed contributions;

2. Expresses concern about the financial situation with regard to peacekeeping activities, in particular as regards the reimbursement of troop contributors, which bear burdens owing to overdue payments by Member States of their assessments;

3. Expresses its appreciation to those Member States which have paid their assessed contributions in full;

4. Urges all other Member States to make every possible effort to ensure payment of their assessed contributions to the Force in full and on time;

5. Endorses the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provisions of the present resolution;

6. Requests the Secretary-General to take all necessary action to ensure that the Force is administered with a maximum of efficiency and economy;

7. Decides to appropriate to the Special Account for the United Nations Peacekeeping Force in Cyprus an amount of 48,000,800 dollars gross (45,877,800 dollars net) for the maintenance of the Force for the period from 1 July 1997 to 30 June 1998, inclusive of an amount of 1,939,100 dollars for the support account for peacekeeping operations and an amount of 1,131,000 dollars for the cost of termination benefits for locally employed civilians relating to the period of employment after 15 June 1993;

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[3] S/1994/647.

8. Decides also, as an ad hoc arrangement, taking into consideration the funding through voluntary contributions of one third of the cost of the Force, equivalent to 15,292,600 dollars, by the Government of Cyprus and of 3,731,333 dollars by the Government of Greece, to apportion the amount of 28,976,867 dollars gross (26,853,867 dollars net), including an amount of 2,768,667 dollars, as provided for in paragraph 12 below, for the period from 1 July 1997 to 30 June 1998, to be assessed on Member States at a monthly rate of 2,414,738 dollars gross (2,237,822 dollars net), in accordance with the composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolutions 44/192 B of 21 December 1989, 45/269 of 27 August 1991, 46/198 A of 20 December 1991, 47/218 A of 23 December 1992, 49/249 A of 20 July 1995, 49/249 B of 14 September 1995, 50/224 of 11 April 1996 and 51/218 A and B of 18 December 1996 and its decisions 48/472 A of 23 December 1993 and 50/451 B of 23 December 1995, and taking into account the scale of assessments for the years 1997, as set out in its resolution 49/19 B of 23 December 1994 and its decision 50/471 A of 23 December 1995, and 1998,[4] subject to the decision of the Security Council to extend the mandate of the Force beyond 30 June 1997;

9. Decides further that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 8 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 2,123,000 dollars approved for the period from 1 July 1997 to 30 June 1998;

10. Decides to continue to maintain as separate the account established for the period prior to 16 June 1993 for the Force, invites Member States to make voluntary contributions to that account, and requests the Secretary-General to continue his efforts in appealing for voluntary contributions to the account;

11. Calls upon Member States to make voluntary contributions to the Special Account for the Force to enable the United Nations to meet its remaining obligations with respect to the locally employed civilian staff;

12. Notes the agreement of the Government of Greece to earmark, on an ad hoc basis, for the period from 1 July 1997 to 30 June 1998, an amount of 2,768,667 dollars from its annual voluntary contribution of 6.5 million dollars to the Force, for this purpose;

13. Invites voluntary contributions to the Force in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

14. Requests the Secretary-General to direct the Office of Internal Oversight Services to evaluate and to report to the General Assembly on the events and circumstances that led to United Nations responsibility for

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[4] To be adopted by the General Assembly.

termination pay to the locally employed civilians in the Force, including all aspects of accountability and responsibility of United Nations staff;

15. Decides to include in the provisional agenda of its fifty-second session the item entitled "Financing of the United Nations Peacekeeping Force in Cyprus".

UNITED
NATIONS

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Fifty-first session
Agenda item 112

REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS

Report of the Fifth Committee

Rapporteur: Mr. Ihor V. HUMENNY (Ukraine)

I. INTRODUCTION

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda item 112 appear in the reports of the Committee contained in documents A/51/751 and A/51/752.

2. The Fifth Committee resumed its consideration of the item at its 57th to 60th, 63rd, 65th, 66th and 70th meetings, on 13, 15, 16, 20, 23, 29 and 30 May and 6 June 1997. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/51/SR.57-60, 63, 65, 66 and 70).

3. For its consideration of the item, the Committee had before it the following documents:

Reports of the Office of Internal Oversight Services

(a) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the investigation of the alleged misappropriation of United Nations assets at the United Nations Gift Centre (A/50/1004);

(b) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the management audit of electronic mail at the United Nations Secretariat (A/50/1005);

(c) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the management audit of United Nations global cargo and motor vehicle insurance programmes (A/51/302);

(d) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the investigation into the United Nations access control system (A/51/467);

(e) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the investigation into the seminars of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/51/486);

(f) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the audit of Headquarters catering operations (A/51/802);

(g) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the review of outsourcing practices at the United Nations (A/51/804);

(h) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the review of the United Nations Environment Programme and the administrative practices of its secretariat, including the United Nations Office at Nairobi (A/51/810);

(i) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the review of the programme and administrative practices of the United Nations Centre for Human Settlements (Habitat) (A/51/884);

(j) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the audit of the United Nations Postal Administration (A/51/897);

Procurement reform

(k) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the audit of procurement handled by the Contracts and Procurement Services of the Department for Development Support and Management Services (A/50/945);

(l) Financial report and audited financial statements for the biennium ended 31 December 1995 and report of the Board of Auditors;[1]

(m) Fourth report of the Advisory Committee on Administrative and Budgetary Questions (A/51/7/Add.3);

(n) Note by the Secretary-General transmitting the concise summary of principal findings, conclusions and recommendations contained in the reports of the Board of Auditors (A/51/283);

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[1] Official Records of the General Assembly, Fifty-first Session, Supplement No. 5 (A/51/5), vol. I.

(o) Report of the Secretary-General on the implementation of the recommendations of the Board of Auditors (A/51/488 and Add.1 and 2);

(p) Report of the Advisory Committee on Administrative and Budgetary Questions concerning the reports of the Board of Auditors (A/51/533);

(q) Report of the Secretary-General on progress in the implementation of procurement reform in the United Nations Secretariat (A/C.5/49/67);

(r) Report of the Secretary-General on the implementation of procurement reform in the United Nations Secretariat (A/C.5/50/13/Rev.1);

(s) Report of the Secretary-General on procurement reform in the United Nations Secretariat (A/C.5/51/9);

Strengthening of external oversight mechanisms

(t) Report of the Secretary-General (A/49/633);

(u) Note by the Secretary-General transmitting the comments of the Board of Auditors on the term of office of members of the Board of Auditors (A/49/368 and Corr.1);

(v) Note by the Secretary-General transmitting updated views of the Joint Inspection Unit on strengthening external oversight mechanisms (A/51/674);

(w) Note by the Secretary-General transmitting the views of the Board of Auditors on improving oversight functions (A/49/471 and Corr.1);

Management in the United Nations system

(x) Report of the Secretary-General on jurisdictional and procedural mechanisms for the proper management of the resources and funds of the United Nations (A/49/98 and Corr.1 and Add.1 and 2);

(y) Report of the Ad Hoc Intergovernmental Working Group of Experts established pursuant to General Assembly resolution 48/218 A on jurisdictional and procedural mechanisms for the proper management of the resources and funds of the United Nations (A/49/418);

(z) Notes by the Secretary-General transmitting the report of the Joint Inspection Unit entitled "United Nations system common premises and services in the field" (A/49/629) and the comments of the Administrative Committee on Coordination thereon (A/51/124-E/1996/44);

(aa) Notes by the Secretary-General transmitting the report of the Joint Inspection Unit entitled "Accountability, management improvement and oversight in the United Nations system" (A/50/503 and Add.1 and the comments of the Administrative Committee on Coordination thereon (A/51/522);

(bb) Notes by the Secretary-General transmitting the report of the Joint Inspection Unit entitled "Management in the United Nations: work in progress" (A/50/507) and the comments of the Secretary-General thereon (A/50/507/Add.1);

(cc) Note by the Secretary-General transmitting the work programme of the Joint Inspection Unit for 1996-1997, the indicative list for 1997-1998 and beyond and the internal roster (A/51/559 and Corr.1);

(dd) Notes by the Secretary-General transmitting the report of the Joint Inspection Unit entitled "Common services at United Nations Headquarters" (A/51/686) and the comments of the Secretary-General thereon (A/51/686/Add.1);

Gratis personnel

(ee) Report of the Secretary-General on gratis personnel provided by Governments and other entities (A/51/688 and Corr.1 and Add.1-3);

(ff) Report of the Advisory Committee on Administrative and Budgetary Questions on gratis personnel provided by Governments and other entities (A/51/813).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.5/51/L.70

4. At the 70th meeting, on 6 June, the Vice-Chairman introduced a draft resolution entitled "Procurement reform" (A/C.5/51/L.70), submitted on the basis of informal consultations, and orally revised it by replacing operative paragraph 11, which had read:

> "[11. Decides, as an incentive measure aimed at improving the financial basis of the Organization, to introduce in the procurement system of the Organization the provision that, among equally qualified vendors, preference should be given in the award of contracts for the procurement of goods and services to vendors from Member States current with their assessed contributions, as well as vendors from member States unable to pay their assessed contributions promptly and in full for reasons beyond their control in the context of Article 19 of the Charter of the United Nations and from Member States which are net creditors to the Organization]",

with the following text:

> "11. Notes also that a proposal is under consideration to introduce in the United Nations procurement system an incentive regarding equally qualified vendors from Member States."

5. At the same meeting, the Committee adopted draft resolution A/C.5/51/L.70, as orally revised, without a vote (see para. 10).

B. Draft decision A/C.5/51/L.72

6. At the 70th meeting, on 6 June, the representative of the Philippines introduced a draft decision entitled "Reports of the Office of Internal Oversight Services" (A/C.5/51/L.72), submitted by the Chairman on the basis of informal consultations.

7. At the same meeting, the Committee adopted draft decision A/C.5/51/L.72 without a vote (see para. 11, draft decision I).

C. Draft decision A/C.5/51/L.75

8. At the 70th meeting, on 6 June, the Vice-Chairman introduced a draft decision entitled "Management in the United Nations" (A/C.5/51/L.75), submitted on the basis of informal consultations.

9. At the same meeting, the Committee adopted draft decision A/C.5/51/L.75 without a vote (see para. 11, draft decision II).

III. RECOMMENDATIONS OF THE FIFTH COMMITTEE

10. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Procurement reform

The General Assembly,

Recalling its resolution 49/216 C of 23 December 1994 and its decision 50/479 of 11 April 1996, as well as its previous relevant resolutions,

Having considered the reports of the Secretary-General on procurement reform[2] and the related reports of the Advisory Committee on Administrative and Budgetary Questions,[3]

Having also considered the reports of the Office of Internal Oversight Services on procurement for the period from 1 July 1995 to 30 June 1996,[4] on the audit of procurement handled by the Contracts and Procurement Service of the Department for Development Support and Management Services of the Secretariat,[5]

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[2] A/C.5/49/67, A/C.5/50/13/Rev.1 and A/C.5/51/9.

[3] A/50/7/Add.13 and A/51/7/Add.3.

[4] A/51/432, annex, sect. II.C.

[5] A/50/945, annex.

on the investigation of the alleged misappropriation of United Nations assets at the United Nations Gift Centre[6] and on the audit of Headquarters catering operations,[7]

Having further considered the concise summary of the principal findings, conclusions and recommendations of the Board of Auditors,[8] especially paragraphs 20 to 36 thereof, as regards procurement, in conjunction with comments on the subject contained in the report of the Advisory Committee on Administrative and Budgetary Questions[9] and the measures proposed by the Secretary-General to implement the recommendations of the Board of Auditors concerning procurement,[10]

Noting the progress made in the efforts to prepare a new Procurement Manual,

Noting with concern the continuing weaknesses and deficiencies in the area of procurement,

Emphasizing the importance of establishing a supplier roster on as wide a geographical basis as possible,

Noting the observation of the Advisory Committee on Administrative and Budgetary Questions in paragraph 20 of its report,[11]

1. Takes note of the reports of the Secretary-General on procurement reform[2] and the reported actions already taken or in progress to implement the reform measures;

2. Regrets that more progress has not been made, in particular, in improving the procedures and the cost-effectiveness of the procurement process and in broadening the representativeness of the supplier base;

3. Welcomes the review by the Board of Auditors of the recommendations previously made by the General Assembly in its resolution 49/216 C on measures to improve the procurement process;

4. Takes note of the observations and recommendations contained in the reports of the Advisory Committee on Administrative and Budgetary Questions,[3]

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[6] A/50/1004.

[7] A/51/802, annex.

[8] A/51/283, annex.

[9] A/51/533, paras. 20-21, 34-36 and 52-60.

[10] A/51/488, paras. 15-19, and A/51/488/Add.1, paras. 4-7, 14-21 and 26.

[11] A/51/7/Add.3.

and endorses in particular the recommendation that procurement reform should be given the highest priority in the United Nations and its funds and programmes;

5. Requests the Secretary-General to expedite efforts to develop a single format for the provision of data and a common reporting system for procurement undertaken in the field and at Headquarters under the responsibility of the Secretary-General, in order to produce a complete set of statistics to be included in future reports on procurement to the General Assembly;

6. Expresses concern that over the last two years eight procurement-related arbitration claims have been instituted against the United Nations, totalling more than 90 million United States dollars, and requests the Secretary-General to submit to the General Assembly at its fifty-second session a comprehensive report on procurement-related arbitration cases, taking into account the obligations of the United Nations under the Arbitration Rules of the United Nations Commission on International Trade Law;[12]

7. Requests the Secretary-General to include in future reports on procurement also information on arbitration cases and the related costs;

8. Decides to revert to the question of the structure of the Procurement and Transportation Division of the Secretariat and the request of the Secretary-General that the Division be headed by a Director at the D-2 level during its consideration of the programme budget for the biennium 1998-1999;

9. Requests the Secretary-General to fill the vacant posts relating to procurement as soon as possible;

10. Notes that there are officers on loan in the Procurement and Transportation Division, and decides to revert to this question during its consideration of the report of the Secretary-General on gratis personnel;

11. Notes also that a proposal is under consideration to introduce in the United Nations procurement system an incentive regarding equally qualified vendors from Member States;

12. Welcomes the efforts made to improve coordination with the United Nations procurement system, and encourages the further strengthening of such coordination;

13. Requests the Secretary-General to take further steps to improve the availability and timeliness, including through electronic access, of information relating to current and forthcoming procurement opportunities;

14. Welcomes the electronic announcement of United Nations contract awards through Procurement Update, issued by the Inter-Agency Procurement Services Office on the Internet, and encourages the Secretary-General to make further use of this medium;

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[12] United Nations publication, Sales No. E.77.V.6.

15. Requests the Secretary-general to report through the Advisory Committee on Administrative and Budgetary Questions to the General Assembly at its fifty-second session on the establishment of a standard procedure for the preparation of performance evaluation reports on vendors, in particular those with major contracts;

16. Expresses its concern about the insufficient use of expertise in procurement planning in eight peacekeeping missions, including the United Nations Protection Force and the United Nations Operation in Somalia, which led to payments for aircraft services not utilized, assessed at 2.4 million United States dollars in the United Nations Angola Verification Mission and 0.4 million dollars in the United Nations Observer Mission in Liberia;

17. Regrets that, owing to deficiencies in procurement planning and failure to indicate specifications clearly, the Office of the United Nations High Commissioner for Refugees suffered a financial loss of about 3 million dollars;

18. Requests the Secretary-General to entrust the Office of Internal Oversight Services with the investigation of the situation mentioned in paragraphs 16 and 17 of the present resolution and to report thereon through the Advisory Committee on Administrative and Budgetary Questions to the General Assembly at its fifty-second session;

19. Endorses the concern of the Advisory Committee on Administrative and Budgetary Questions about the use of suppliers recommended by requisitioners, notes that this practice undermines the principle of segregation of responsibilities between requesting and procurement entities, and requests the Secretary-General to discontinue that practice;

20. Requests the Secretary-General to ensure that in no case will a consultant who has been engaged to prepare specifications and to assist in technical evaluation be allowed to recommend vendors for invitations to bid;

21. Also requests the Secretary-General to redouble his efforts to streamline all aspects of the decision-making process in procurement at Headquarters;

22. Notes that the local committees on contracts have the authority to consider cases ranging from 50,000 dollars to 200,000 dollars, while the Headquarters Committee on Contracts will consider cases in amounts above 200,000 dollars;

23. Takes note of the information supplied in paragraphs 93 and 94 of the report of the Board of Auditors,[13] indicating that 48 per cent of suppliers were from one Member State;

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[13] Official Records of the General Assembly, Fifty-first Session, Supplement No. 5 (A/51/5), vol. I, chap. II.

24. Invites Member States to encourage their national suppliers to be registered in the supplier roster;

25. Requests the Secretary-General to expedite the steps being taken to establish a supplier roster on as wide a geographical basis as possible and to submit a report thereon, including a revised list of suppliers, through the Advisory Committee on Administrative and Budgetary Questions to the General Assembly at its fifty-second session;

26. Emphasizes that concerted efforts should be made to identify potential vendors in the developing countries and countries with economies in transition and to increase the representation from those countries in the bidding for and award of contracts, so as to develop a supplier base that is more representative of the membership of the Organization;

27. Takes note of paragraph 13 of the report of the Advisory Committee on Administrative and Budgetary Questions,[11] and decides to revert to this question during its consideration of the proposed programme budget for the biennium 1998-1999;

28. Requests the Secretary-General to take immediate action to ensure compliance with the established procedures for procurement, based on international competitive bidding and the widest possible geographical base of procurement;

29. Appreciates the efforts being made to address the problem of ex post facto cases, in particular for those offices away from Headquarters, and requests the Secretary-General to ensure that the approval of contracts on an ex post facto basis is kept to the minimum, with full justification for each such case;

30. Requests the Secretary-General to review the possibility of consolidating the procurement functions at United Nations Headquarters and to report thereon to the General Assembly as soon as possible and no later than September 1997;

31. Also requests the Secretary-General to develop an intensified training programme for all procurement personnel of the United Nations Secretariat and all its offices, including field offices of peacekeeping operations, to develop the capacity to dispatch in a timely manner qualified and trained procurement personnel to new or expanded missions and to report to the General Assembly at its fifty-second session on measures taken to enhance the training programme;

32. Further requests the Secretary-General to establish annual consolidated procurement plans as a part of procurement reform;

33. Requests the Secretary-General to complete the preparation of a new Procurement Manual as soon as possible and to provide the necessary training for procurement personnel;

34. Requests the Board of Auditors to monitor and report on the completion of the new Procurement Manual in its next report and to monitor closely the

implementation of its recommendation that the Procurement and Transportation Division should establish detailed guidelines on methods of invitation to bid covering all aspects of procurement, including open tendering;

35. Also requests the Board of Auditors to report in the next audit report on peacekeeping operations, in January 1998, on the status of the implementation by the Secretary-General of its recommendations concerning the administration of letters of assist;

36. Welcomes the reports of the Office of Internal Oversight Services,[14] notes that the Secretary-General concurs with the recommendations of the Office, and requests the Secretary-General to ensure their full implementation;

37. Notes with concern the observations of the Office of Internal Oversight Services in paragraphs 37 to 42 of its report,[5] and requests the Secretary-General to report on the precise action taken in this regard to the General Assembly at its fifty-second session;

38. Endorses the recommendations contained in the report of the Office of Internal Oversight Services on Headquarters catering operations,[7] and requests the Secretary-General to take action to achieve consistency in policy and practice with regard to catering operations at United Nations Headquarters and Geneva.

* * *

11. The Fifth Committee also recommends to the General Assembly the adoption of the following draft decisions:

DRAFT DECISION I

Reports of the Office of Internal Oversight Services

A

Electronic mail at the United Nations Secretariat

The General Assembly takes note of the report of the Office of Internal Oversight Services on the management audit of electronic mail at the United Nations Secretariat[15] and of the comments of the Secretary-General thereon.

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[14] A/51/432, annex, sect. II.C; A/50/945, annex; A/50/1004; and A/51/802, annex.

[15] A/50/1005.

B

United Nations global cargo and motor vehicle insurance programmes

The General Assembly:

(a) Takes note, with concern, of the report of the Office of Internal Oversight Services on the management audit of United Nations global cargo and motor vehicle insurance programmes;[16]

(b) Requests the Secretary-General to entrust the Office of Internal Oversight Services with the conduct of a further similar audit, which will cover all United Nations insurance programmes, including the question of insurance contracts based on international bidding;

(c) Also requests the Secretary-General, in his capacity as Chairman of the Administrative Committee on Coordination, to consider the question of insurance policies with a view to exploring the possibilities of having common system-wide practices and procedures, including common insurance programmes;

(d) Further requests the Secretary-General to address the opinion of the Joint Inspection Unit contained in paragraph 73 of its report[17] in the context of the report requested in paragraph (e) below;

(e) Requests the Secretary-General to report on the status of the implementation of the present decision to the General Assembly at its fifty-second session.

C

United Nations access control system

The General Assembly:

(a) Expresses its deep concern about the findings contained in the report of the Office of Internal Oversight Services[18] with respect to the non-implementation of the United Nations access control system, which led to a financial loss of 1.5 million United States dollars;

(b) Endorses the recommendations contained in paragraph 10 of the report;

(c) Requests the Secretary-General to continue his efforts to recover the financial loss in accordance with the relevant financial regulations and rules of the United Nations.

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[16] A/51/302.

[17] A/51/530 and Corr.1.

[18] A/51/467.

D

Seminars of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly takes note of the report of the Office of Internal Oversight Services on the investigation into the seminars of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[19] and notes that the Special Committee has considered that report.

E

Outsourcing practices at the United Nations

The General Assembly decides to revert, at its fifty-second session, to the consideration of the report of the Office of Internal Oversight Services on the review of outsourcing practices at the United Nations[20] in the light of the forthcoming report of the Joint Inspection Unit on outsourcing in the United Nations system.

F

Review of the United Nations Environment Programme and the administrative practices of its secretariat, including the United Nations Office at Nairobi

The General Assembly takes note of the report of the Office of Internal Oversight Services on the review of the United Nations Environment Programme and the administrative practices of its secretariat, including the United Nations Office at Nairobi,[21] and notes that the report will be considered by the Committee for Programme and Coordination at its thirty-seventh session.

G

Review of the programme and administrative practices of the United Nations Centre for Human Settlements (Habitat)

The General Assembly:

(a) Takes note of the report of the Office of Internal Oversight Services on the review of the programme and administrative practices of the United

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[19] A/51/486.

[20] A/51/804.

[21] A/51/810.

Nations Centre for Human Settlements (Habitat),[22] of the statement made by the Executive Director of the Centre in the Fifth Committee[23] and of the resolution on the revitalization of the Centre adopted by the Commission on Human Settlements at its sixteenth session;[24]

(b) Also takes note of the assurances of the Executive Director that the Centre has begun implementation of all the recommendations contained in the report of the Office of Internal Oversight Services, and encourages the Centre to implement fully the recommendations, as approved by the Commission on Human Settlements.

H

United Nations Postal Administration

The General Assembly takes note of the report of the Office of Internal Oversight Services on the audit of the United Nations Postal Administration,[25] and requests the Secretary-General to ensure prompt implementation of the recommendations contained therein.

DRAFT DECISION II

Management in the United Nations

The General Assembly takes note of the following documents:

(a) Report of the Joint Inspection Unit entitled "Accountability, management improvement and oversight in the United Nations system"[26] and the comments of the Administrative Committee on Coordination thereon;[27]

(b) Report of the Joint Inspection Unit entitled "Management in the United Nations: work in progress"[28] and the comments of the Secretary-General thereon;[29]

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[22] A/51/884.

[23] See A/C.5/51/SR.60.

[24] HS/C/16/L.32.

[25] A/51/897.

[26] A/50/503 and Add.1.

[27] A/51/522.

[28] A/50/507.

[29] A/50/507/Add.1.

(c) Report of the Joint Inspection Unit entitled "Common services at United Nations Headquarters"[30] and the comments of the Secretary-General thereon;[31]

(d) Report of the Joint Inspection Unit entitled "United Nations system common premises and services in the field"[32] and the comments of the Administrative Committee on Coordination thereon.[33]

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[30] A/51/686.

[31] A/51/686/Add.1.

[32] A/49/629.

[33] A/51/124-E/1996/44.

UNITED NATIONS

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General Assembly
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12 June 1997

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GENERAL ASSEMBLY
Fifty-first session
Agenda items 33, 35 and 85
THE SITUATION IN THE MIDDLE EAST
QUESTION OF PALESTINE
REPORT OF THE SPECIAL COMMITTEE TO INVESTIGATE ISRAELI PRACTICES AFFECTING THE HUMAN RIGHTS OF THE PALESTINIAN PEOPLE AND OTHER ARABS OF THE OCCUPIED TERRITORIES

SECURITY COUNCIL
Fifty-second year

Identical letters dated 12 June 1997 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and to the President of the Security Council

Last week, in meetings with some security officials and leaders of the Likud party, the Prime Minister of Israel, Mr. Benjamin Netanyahu, revealed his ideas about a final settlement with the Palestinian side in what can be called "Netanyahu's Plan". Those ideas include the establishment of a virtual "Greater Jerusalem" under Israeli sovereignty, continuous control over the Jordan Valley, a buffer zone along the borders and annexation of settlement blocs, practically leaving less than half of the occupied territory for the Palestinians and without even geographical contiguity, thus ensuring the prevention of the realization of Palestinian national rights, including the establishment of a Palestinian State. The plan resembles the notorious Allon plan, a fact that was used by Mr. Netanyahu to gain approval in certain Israeli circles.

Netanyahu's plan comes as the second piece of solid evidence, along with the Government's guidelines, of the conceptual intentions of the Israeli Government and its leader to destroy the Middle East peace process and the agreements reached between the two parties, while trying to replace it with a new framework unilaterally imposed on a the Palestinian side. The plan, in addition to the Government's continuation of building illegal settlements in Occupied Palestinian Territory, especially in Jabal Abu Ghneim to the south of occupied East Jerusalem, makes a mockery of Security Council resolution 242 (1967), which is the basis of the Middle East peace process and the implementation of which is the goal of the agreements reached between the

Government of Israel and the Palestine Liberation Organization. It also makes a mockery of the principles embodied in the mutual recognition between the two sides.

Both the above-mentioned plan and the continuation of illegal Israeli actions in the Occupied Palestinian Territory, including Jerusalem, represent another direct challenge to the international community and a gross violation of General Assembly resolution ES-10/2, adopted at its tenth emergency special session, on 25 April 1997.

At this time, I wish to take the opportunity to refer to the letter of the Israeli Chargé d'affaires a.i., dated 5 June 1997 (A/52/173), which represents yet another example of repeated Israeli campaigns aimed at diverting attention from the actual Israeli policies and practices that have caused the current dangerous crisis facing the Middle East peace process.

With regard to the question of Palestine, the issue of land cannot be considered in isolation from the issue of Israeli settler colonialism, which has been waged in the Occupied Palestinian Territory, a major dimension of which is the illegal acquisition by Israel of Palestinian land. Israel uses any non-Palestinian ownership of land as a tool to challenge Palestinian sovereignty and not as a matter of normal private ownership. It should also be noted that since its establishment Israel has instituted all types of practical and legal arrangements to prevent land ownership by non-Jews in Israel.

In this context, the Palestinian Authority will permit only the application of existing laws in the Palestinian territory to prevent illegal land sales and transfers and, at the same time, will continue to take the needed measures to inhibit any attempt by persons to take the law into their own hands.

I should be grateful if you would arrange to have the text of the present letter distributed as an official document of the fifty-first session of the General Assembly, under agenda items 33, 35 and 85, and of the Security Council.

(Signed) Nasser AL-KIDWA
Permanent Observer of Palestine
to the United Nations

UNITED NATIONS **A**

General Assembly

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A/51/924
13 June 1997

ORIGINAL: ENGLISH

Fifty-first session
Agenda item 110

HUMAN RIGHTS QUESTIONS

Approval of the appointment of the High Commissioner for Human Rights

Note by the Secretary-General

1. The General Assembly, in its resolution 48/141 of 20 December 1993, decided to create the post of United Nations High Commissioner for Human Rights. The Assembly also decided that the High Commissioner for Human Rights shall:

(a) Be a person of high moral standing and personal integrity and possess expertise, including in the field of human rights, and the general knowledge and understanding of diverse cultures necessary for impartial, objective, non-selective and effective performance of the duties of the High Commissioner;

(b) Be appointed by the Secretary-General of the United Nations and approved by the General Assembly, with due regard to geographical rotation, and have a fixed term of four years with a possibility of one renewal for another fixed term of four years;

(c) Be of the rank of Under-Secretary-General.

2. In the light of the provisions of General Assembly resolution 48/141, the Secretary-General proposes to appoint Mrs. Mary Robinson (Ireland) as United Nations High Commissioner for Human Rights, for a term of office of four years.

3. The Secretary-General trusts that the General Assembly will approve this appointment.

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UNITED NATIONS **A S**

General Assembly
Security Council

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A/51/925
S/1997/463
16 June 1997

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GENERAL ASSEMBLY
Fifty-first session
Agenda item 39
THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY

SECURITY COUNCIL
Fifty-second year

Identical letters dated 16 June 1997 from the Permanent Representative of Afghanistan to the United Nations addressed to the Secretary-General and to the President of the Security Council

I have the honour to forward herewith a letter dated 15 June 1997 addressed to you by His Excellency Mr. Abdul Rahim Ghafoorzai, Minister for Foreign Affairs of the Islamic State of Afghanistan (see annex), transmitting the text of the first declaration of the United Islamic and National Front for the Salvation of Afghanistan (UINFSA), dated 12 June 1997.

I would like to refer, in this context, to documents A/51/914-S/1997/424, dated 2 June 1997 and an earlier document, S/1997/347, dated 1 May 1997.

I should be grateful if you would have the text of the present letter and its annex to which the text of the said declaration is appended circulated as a document of the fifty-first session of the General Assembly, under agenda item 39, and of the Security Council.

(Signed) A. G. Ravan FARHÂDI
Ambassador
Permanent Representative

ANNEX

Identical letters dated 15 June 1997 from the Minister for Foreign Affairs of Afghanistan addressed to the Secretary-General and to the President of the Security Council

I have the honour to bring the following to your attention as well as to the notice of the members of the Security Council and other States members of the United Nations the following:

On 12 June 1997, the United Islamic and National Front for the Salvation of Afghanistan (UINFSA) issued its first declaration outlining essential concepts and major practical points with regard to the solution of the Afghan conflict.

The Islamic State of Afghanistan, for the first time since its establishment five years ago, is thus being given the mandate to take drastic and concrete measures for the promotion of the political peace process and the realization of democracy in the country.

The convening of the Grand Assembly (Loya Jirga), within the time-frame (six to nine months), will manifest a major step forward for all the Afghan people to determine their own political destiny.

The Islamic State of Afghanistan expects the United Nations to extend its full support to the process leading to the convening of the Grand Assembly (Loya Jirga), by assisting in the matter.

Further practical details on the assistance to be provided by the United Nations, however, will be communicated to you through the United Nations Special Mission to Afghanistan.

The cooperation of the Organization of the Islamic Conference has also been sought in the matter, in accordance with the resolutions of the General Assembly and of the Security Council on the situation in Afghanistan.

(Signed) Abdul Rahim GHAFOORZAI
Minister for Foreign Affairs of
the Islamic State of Afghanistan

APPENDIX

Declaration of the United Islamic and National Front for the Salvation of Afghanistan (UINFSA), dated 12 June 1997

For the purpose of consolidating the struggle of the people of Afghanistan against foreign aggression by way of further securing the national unity of the people of the country, aimed at putting an end to the foreign intervention,

In order to pave the way for the people of Afghanistan to exercise their right to self-determination,

With the goal of facilitating an early and complete return of peace and stability to the country by the immediate convening of sincere intra-Afghan dialogues conducive to the signing of a comprehensive peace agreement between the two conflicting sides in the Afghan war, under the auspices of the United Nations and of the Organization of the Islamic Conference (OIC),

With an aim of preparing the ground for the emergence of an Afghanistan finding its rightful position with high credibility among the countries in the region and in the world, enjoying friendly relations on the basis of mutual respect and fruitful cooperation with the international family of nations, in particular its neighbours, and standing committed to joining the global struggle against terrorism and drug trafficking,

In order to ensure democracy and human rights for all Afghan men and women, irrespective of religious, racial, ethnic and/or linguistic differences, based upon the recognized principles enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights and other related internationally accepted covenants in line with the tenets of Islamic Law,

With the intention of ensuring the supreme objectives of the historical Afghan Jihad (struggle for freedom), to implement the Islamic Law, to defend the territorial integrity, national sovereignty, independence and national unity of Afghanistan, as well as its national, cultural and historical values and honours, and,

While seeking the blessings of Almighty God, the establishment of the United Islamic and National Front for the Salvation of Afghanistan (UINFSA), as the highest authoritative entity - while in firm support of the Islamic State of Afghanistan - is proclaimed.

The Front declares the following:

1. The Front (UINFSA) is a composition of the following parties:

   - The National Islamic Movement (Junbish-i-Milli) of Afghanistan,

   - The Islamic Unity (Hezb-i-Wahdat-i-Islami) of Afghanistan,

   - The Islamic Society (Jamiat-i-Islami) of Afghanistan,

- The Islamic Movement (Harakat-i-Islami) of Afghanistan,

- The National Islamic Front (Jabha-i-Nejat-i-Milli) of Afghanistan,

- The Islamic Party (Hezb-i-Islami) of Afghanistan

(all joined by Afghan associations and non-governmental councils, cultural institutions, technocrats, scholars, religious leaders and all national loyal citizens of the country committed to defending Afghanistan and the rights of its people against foreign aggression, intervention and interference and also determined to contribute positively to the national efforts aimed at restoration of peace and normalcy in Afghanistan),

2. The Front (UINFSA) invites all patriotic intellectual Afghan personalities as well as social, cultural and political institutions, to join the UINFSA forum to broaden its ranks and voice their support for inaugurating an era of peace and stability in Afghanistan.

3. The Front (UINFSA) calls upon the Taliban to take into serious account the sufferings and miseries of the innocent civilian population in Afghanistan resulting from the protracted imposed war and to declare their readiness through joining a genuine intra-Afghan dialogue aimed at achieving a negotiated settlement, rather than pursuing the dangerous option of continuing war in Afghanistan.

4. The Front (UINFSA) stresses the necessity of introducing substantive changes in the composition of the Government of the Islamic State of Afghanistan required to further enhance the national unity of the country. The Government would thereby be entrusted to perform the following tasks:

(a) Implementation of the peace process in the country;

(b) Establishment of a provisional National Council, comprising scholars, national figures, clerics and technocrats residing within and outside Afghanistan to function as a provisional parliament pending the convening of a Grand Assembly (Loya Jirga);

(c) Drafting of a constitution, a legislation regulating political parties and an electoral law. The drafting will be a task undertaken by three independent expert commissions to be selected from among the members of the Provisional National Council;

(d) Convening of the Grand Assembly (Loya Jirga), with the cooperation of the United Nations and of the Organization of the Islamic Conference (OIC), within a period of six to nine months, which would, inter alia, set a date for general and free elections to take place in the country;

(e) Promoting a plan directed at the collection of arms as well as the setting up of a national army;

(f) Addressing immediately the present economic plight of the people.

*Note: UINFSA will promptly initiate negotiations with the Taliban aimed at achieving the aforesaid objectives, should they declare readiness to engage in a sincere and honest dialogue and agree on the formation of a broad-based transitional government.

5. The Front (UINFSA) requests the international community, and in particular the neighbouring Islamic countries, to support the national efforts in Afghanistan in search of an immediate, comprehensive and durable peace.

6. The Front (UINFSA), greatly supportive of the United Nations Special Mission to Afghanistan, headed by Dr. Norbert Holl, calls upon the United Nations to take a more responsive and bold stance on the cessation of foreign aggression, intervention and interference in the internal affairs of Afghanistan. This intervention is to be considered as the most outstanding factor in the continuation of the conflict and thereupon of the blatant violations of human rights particularly of women in Afghanistan.

7. The Front (UINFSA) calls upon the Government of Pakistan to renounce its hostile policy towards the Islamic State and the people of Afghanistan and to respond positively by expressing its readiness for direct negotiations dedicated to the establishment of fraternal relations with Afghanistan. The Government of Pakistan is expected to play a role in its part in the peace process and the cessation of hostilities in Afghanistan, instead of supporting one side of the conflict. The Front (UINFSA), in this context, reassures of the readiness by the Islamic State of Afghanistan.

Mazar-i-Sharif, Afghanistan
12 June 1997

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18 June 1997

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QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 17 June 1997 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 16 June 1997, addressed to you by His Excellency Mr. Osman Ertuğ, Representative of the Turkish Republic of Northern Cyprus.

I should be grateful if the text of the present letter and its annex would be circulated as a document of the fifty-first session of the General Assembly, under agenda item 58, and of the Security Council.

(Signed) Hüseyin E. Çelem
Ambassador
Permanent Representative

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ANNEX

Letter dated 16 June 1997 from Mr. Osman Ertuğ addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 4 June 1997 addressed to you by the Greek Cypriot representative at the United Nations, which contains allegations regarding "violations of the airspace of the Republic of Cyprus" (A/51/916-S/1997/435).

I wish to state categorically that the claims put forward in the said letter are totally false and malicious, as such overflights did not occur. These allegations appear to be part of a general campaign of disinformation being carried out by the Greek Cypriot side in order to create an unfavourable image of Turkey and the Turkish Cypriot side, particularly on the eve of the direct talks to be held between the two leaders in early July.

Notwithstanding the above, I wish to reiterate that, as I have repeatedly stated in my previous communications addressed to you, most recently in my letter dated 2 May 1997 (A/51/888-S/1997/350), the subject of flights within the airspace of the Turkish Republic of Northern Cyprus is a matter which is totally within the competence and jurisdiction of the appropriate authorities of the Turkish Republic of Northern Cyprus, and the Greek Cypriot side has no say in it whatsoever.

It is regrettable that the Greek Cypriot side, obviously not content with merely distorting events for propaganda purposes, should also be fabricating them. While this kind of behaviour may pay short-term dividends to the Greek Cypriot side, it clearly serves no other purpose than further embittering the relations between the two communities and harming prospects for a future settlement.

I should be grateful if the text of the present letter could be circulated as a document of the fifty-first session of the General Assembly, under agenda item 58, and of the Security Council.

(Signed) Osman ERTUĞ
Representative
Turkish Republic of Northern Cyprus

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THE SITUATION IN CENTRAL AMERICA: PROCEDURES FOR THE ESTABLISHMENT OF A FIRM AND LASTING PEACE AND PROGRESS IN FASHIONING A REGION OF PEACE, FREEDOM, DEMOCRACY AND DEVELOPMENT

Letter dated 13 June 1997 from the Secretary-General addressed to the President of the General Assembly

I have the honour to refer to my letter dated 28 June 1994 (A/48/954-S/1994/751), in which I informed the General Assembly and the Security Council of the signing by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca of an Agreement on the establishment of the Commission to clarify past human rights violations and acts of violence that have caused the Guatemalan population to suffer.

I am pleased to inform you that the Clarification Commission, whose work will be of great importance to national reconciliation in Guatemala, is completing preparations for its official inauguration. The United Nations, as established in the Agreement mentioned above, has been providing this independent Commission with administrative and managerial support during the preparatory phase of its work. It is of the utmost importance that the Commission be granted the necessary financial means to start operating as soon as possible, in order to maintain the current momentum in favour of clarifying the past so that the country can move forward in the daunting tasks of national reconstruction and reconciliation.

I therefore would like to ask you to circulate the attached documents, namely a letter from the Commissioners (Professors Christian Tomuschat and Edgar Alfredo Balsells Tojo, and Ms. Otilia Lux de Cotí) addressed to the international community in Guatemala, the Government and non-governmental organizations appealing for funds (annex I), together with a brief summary of the Commission's structure, budget and operating procedures (annex II), as an official document of the General Assembly, under agenda item 40.

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Finally, I would like to add my own voice to those of the members of the Clarification Commission, and call upon all Member States to respond generously to their appeal.

(Signed) Kofi A. ANNAN

Annex I

[Original: Spanish]

Letter dated 20 May 1997 from the members of the Clarification Commission addressed to the international community in Guatemala, the Government of Guatemala and non-governmental organizations

We have the honour to address you as members of the Commission to Clarify Past Human Rights Violations and Acts of Violence That Have Caused the Guatemalan Population to Suffer which, as you know, was established by means of the Agreement concluded between the Government of the Republic of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) at Oslo on 20 July 1994.

As you are aware, the Commission is continuing to prepare for its installation with the support of the United Nations. Yesterday, as part of this process, we Commissioners approved the Commission's budget, bearing in mind the terms of its mandate and the fact that it will be in operation for a total of 10 months, assuming that only four of the six months granted to us by the Agreement as the sole possible extension are added to its regular period of work. Attached hereto is a document containing a summary of the structure and method of operation of the Commission and its support office and of the budget requirements, which total US$ 7,746,635.

Given that the Commission does not have its own resources and is in urgent financial need, we are compelled to turn to the Government of Guatemala and the representatives of the international community for support. We are addressing ourselves to your Government in particular in the hope of obtaining the necessary funding and receiving your generous support.

To this end, we should like to inform you that any funds that you may wish to contribute can be deposited into account No. 015-002284, which has been opened for this purpose at the Chase Manhattan Bank of New York, and should be labelled "UNOPS-Contribution to the Guatemalan Clarification Commission".

Yesterday, too, we concluded an agreement with the United Nations Office for Project Services (UNOPS), under which the Office will be in charge of managing and investing the funds received, in accordance with the terms of the approved budget and our instructions, and with the applicable rules of the United Nations.

Please do not hesitate to contact the Commission regarding any questions or items of information which you may deem pertinent. Until permanent facilities

are available, we can be contacted directly, or through Mr. Fernando Castañón at telephone number 339-3431.

(Signed) Christian TOMUSCHAT
Member and Coordinator
of the Commission

(Signed) Otilia LUX DE COTÍ
Member of the Commission

(Signed) Edgar Alfredo BALSELLS TOJO
Member of the Commission

ANNEX II

Guatemalan Clarification Commission: operation, structure and budget

1. The Commission to Clarify Past Human Rights Violations and Acts of Violence That Have Caused the Guatemalan Population to Suffer (the "Clarification Commission") was established by means of the Agreement concluded at Oslo on 20 June 1994 between the Government of the Republic of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) as part of the Guatemalan peace process. That Agreement sets forth the procedure for setting up the Commission, its mandate and the general terms for fulfilling that mandate, and also establishes a period of six months for the duration of the Commission's work, starting from the date of its installation, indicating that this period may be extended for a further six months if the Commission so decides.

2. In accordance with the Agreement, the Commission has as its purposes:

(a) To clarify with objectivity, equity and impartiality human rights violations and acts of violence connected with the armed conflict that have caused the Guatemalan population to suffer;

(b) To prepare a report containing the findings of the investigations carried out and providing objective information on events during the period in question, covering all factors, both internal and external;

(c) To formulate specific recommendations designed to foster peace and national harmony in Guatemala. The Commission shall recommend, in particular, measures to preserve the memory of the victims, to foster a culture of mutual respect and observance of human rights and to strengthen the democratic process.

3. With regard to its operation, the Agreement provides that:

(a) The Commission shall receive particulars and information from individuals or institutions that consider themselves to have been affected, and also from the parties;

(b) The Commission shall be responsible for clarifying those situations fully and in detail. In particular, it shall analyse with complete impartiality the factors and circumstances involved in such cases. The Commission shall invite those who may be in possession of relevant information to present their version of events. Failure of the interested parties to appear shall not prevent the Commission from reaching a determination on cases;

(c) The Commission shall not attribute responsibility to any individual in its work, recommendations or report, nor shall these have any judicial purpose or effect.

4. The investigations shall cover the period from the start of the armed conflict until the signing of the Agreement on a Firm and Lasting Peace on 29 December 1996.

5. The Commission shall prepare a report containing the results of its work, which shall be handed over to the parties and to the Secretary-General of the United Nations, who shall publish it.

Composition

6. The Agreement on the establishment of the Commission, like the Agreement on the Implementation, Compliance and Verification Timetable for the Peace Agreements, provides for the Commission to be set up after the signing of the Agreement on a Firm and Lasting Peace, which took place on 29 December 1996. Consequently, and in accordance with the relevant provisions of the Agreement on the Commission's establishment, the Secretary-General appointed Mr. Christian Tomuschat, a German university professor and former independent expert on Guatemala of the United Nations Commission on Human Rights, as a member of the Commission. Under the terms of the Agreement, Mr. Tomuschat, with the agreement of the parties, appointed Ms. Otilia Lux de Cotí, a Guatemalan educator specializing in educational adminstration and university teaching, and Mr. Edgar Alfredo Balsells Tojo, a Guatemalan lawyer and notary who has played a longstanding role in Guatemala's university and academic life, as the other two members of the Commission.

7. The Agreement also provided that the Commission would have whatever support staff it deemed necessary, with the requisite qualifications to carry out its tasks.

Preparations for the Commission's installation

8. The United Nations, in response to the request made by the parties in the Agreement, is providing considerable support to the Commissioners in installing the Commission. Such support mainly involves the assignment of specialized staff to carry out preparatory tasks in a variety of areas, ranging from substantive issues to matters relating to the development of a working methodology and procedures, the preparation of a chronology for the period covered by the Commission's work, and administrative and logistical matters, which include everything from the recruitment of support staff selected by the members of the Commission to the renting and refurbishing of office space.

9. With a view to ensuring consistency in the assistance provided to the Commissioners and facilitating the Commission's future work, the Commissioners have appointed an executive secretary to run the support office.

10. In the context of the preparatory work, support has been requested, and obtained, from various non-governmental organizations, both international and national. These organizations have made suggestions and contributions, particularly concerning the working methodology and the historical chronology, and are continuing to cooperate in this area.

11. The Commission is operating on the principle that optimum use must be made of human, material and financial resources and that every effort must be made to avoid duplication of efforts. To that end, consideration is being given to mechanisms whereby the Commission might take advantage of the efforts already made or currently being made to investigate and analyse Guatemala's past, some

of which have been funded by the international community. At the same time, deployment on the ground has been planned in such a way as to make use of facilities that are currently operating. Following favourable reports as to the impact of the work and the image of the regional offices of the United Nations Verification Mission in Guatemala (MINUGUA) and the recommendations made both by the parties and by representatives of the international and non-governmental community organizations, the Commission members have decided to establish support offices in the MINUGUA regional offices, while maintaining the necessary independence.

12. An agreement has been concluded with the United Nations Office for Project Services (UNOPS) for the latter to manage the Commission's funds and ensure the administrative implementation of decisions taken by the Commissioners, in accordance with United Nations regulations. This agreement has already entered into force and is also applicable to the preparatory phase.

Support offices: structure and deployment

13. In order to structure the human and material resources for the implementation of the Commission's mandate, the Commissioners have decided to organize their support staff into a support office under an executive secretary. This office will have three divisions - investigations, historical analysis and operations - with an officer in charge of each, and a coordinator of the final report. The office will be organized taking into account the need to ensure that Guatemala's population has as broad and unrestricted access to the Commission as is possible, while guaranteeing confidentiality of sources and the personal safety of those who provide testimony to it.

14. The office staff will be able to provide its services in the context of an administrative contract under the 300 series of the Staff Rules of the United Nations, a reimbursable loan from an agency or office of the system or a consultancy contract, or through the United Nations Volunteers programme, depending on the case. It is also possible that some donor countries or other representatives of the international community may decide to make their contribution in the form of the secondment of experts.

15. From the territorial standpoint and in order to help ensure that anyone who wishes to approach the Commission can do so and that the Commission has a presence in all the country's departments, the support office will be divided between the headquarters in Guatemala City, three sub-offices and nine liaison offices. The substantive staff assigned to the various offices will be organized into teams of between three and five people; there will also be mobile teams to handle unforeseen developments and go wherever they are needed to hear witnesses and gather evidence.

16. In addition, there will be security staff to protect the Commissioners and the teams of investigators, and administrative staff to assist the Commission's overall operations.

17. The support office will plan its deployment on the ground and the number of investigators and technical staff used according to five phases:

Start-up phase (one month)

Tasks and objectives: Definition of working methodology, specialized training of staff and establishment of offices in the country's interior.

Facilities: Headquarters

Staff: 58 professionals
30 service staff
6 security officers.

Maximum deployment phase (four months)

Tasks and objectives: Gathering of testimony and statements from the population, analysis and organization of documentary materials and archives.

Facilities: Headquarters, three sub-offices and nine liaison offices

Staff: 72 professionals
33 service staff
21 security officers.

Intermediate phase (1.5 months)

Tasks and objectives: More in-depth investigation of cases, analysis and organization of documentary materials and archives and organization of cases.

Facilities: Headquarters and three sub-offices

Staff: 69 professionals
33 service staff
12 security officers.

Analysis and in-depth investigation phase (two months)

Tasks and objectives: Analysis and organization of documentary materials and archives, organization of cases, selection of most important cases and determination of the format of the final report.

Facilities: Headquarters

Staff: 34 professionals
24 service staff
6 security officers.

Final phase (1.5 months)

Tasks and objectives: Drafting of the final report and winding up of operations.

Facilities: Headquarters

Staff: 21 professionals
24 service staff
6 security officers.

Financing

18. The Commission does not have any funds of its own. Accordingly, it must seek contributions from the Government of the Republic of Guatemala and the international community in order to cover the budget that follows:

Budget

19. The budget requirements for the operation of the Commission's office are as follows:

DESCRIPTION	US dollars
Staff, investigators, consultants, etc.	4 186 642
Missions	405 000
Subcontractors and seminars	858 000
Equipment and supplies	899 000
Miscellaneous	655 000
Preparatory phase	202 530
Administration	540 463
TOTAL	7 746 635

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QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 19 June 1997 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to bring to your attention new and serious Turkish actions in violation of the territorial integrity and sovereignty of the Republic of Cyprus. On 16 June 1997, nine Turkish warships sailed and docked at the closed ports of Famagusta and Kyrenia, in the occupied part of Cyprus. According to information received by the Government of the Republic of Cyprus two Turkish navy vessels, two submarines and one destroyer docked in the port of Famagusta, and three missile boats and one submarine docked in Kyrenia's harbour.

On behalf of my Government, I wish to protest strongly these illegal actions, which are in violation of the principles and provisions of the Charter of the United Nations and international law, as well as United Nations resolutions, including binding decisions of the Security Council on Cyprus. Furthermore, following the Turkish invasion in 1974 and the occupation of a large part of territory of the Republic of Cyprus, the ports of Famagusta, Karavostasi and Kyrenia were declared closed by the Government to all vessels under law 265 of 3 October 1974.

Moreover, I wish to stress that these new Turkish actions are especially provocative, since they take place at a time when efforts are being made by you to hold direct talks between President Clerides and the Turkish/Cypriot leader Mr. Denktash.

I should be grateful if Your Excellency would have the present letter circulated as a document of the fifty-first session of the General Assembly, under agenda item 58, and of the Security Council.

(Signed) Nicos AGATHOCLEOUS
Ambassador
Permanent Representative of
the Republic of Cyprus
to the United Nations

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THE SITUATION IN AFGHANISTAN
AND ITS IMPLICATIONS FOR
INTERNATIONAL PEACE AND
SECURITY

SECURITY COUNCIL
Fifty-second year

Report of the Secretary-General

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 19 of General Assembly resolution 51/195 B of 17 December 1996, in which the Assembly requested the Secretary-General to report to it every three months during its fifty-first session on the progress of the United Nations Special Mission to Afghanistan (UNSMA). The report, which covers the second three-month period following the submission on 16 March 1997 of the first progress report (A/51/838-S/1997/240 and Corr.1), is also submitted in response to the request of the Security Council for regular information on the main developments in Afghanistan.

II. RECENT DEVELOPMENTS IN AFGHANISTAN

Military situation

2. A stand-off between the Taliban and the opposition persisted in the first two months of the reporting period, with neither side able to gain significant ground. Sporadic fighting continued in four areas: the entrances to the Salang pass and the Panjshir valley north of Kabul; the Ghorband valley bordering Bamyan and Wardak provinces in the central region; the Badghis province in the north-west; and the eastern provinces of Kunar, Laghman and Nangarhar.

3. This military deadlock, however, was broken on 19 May when General Abdul Malik, a key commander of the National Islamic Movement of Afghanistan (NIMA), staged what at the time appeared to be a pro-Taliban revolt against the NIMA leader, General Rashid Dostum. General Malik, supported by

other NIMA commanders, took control of Mazar-i-Sharif on 24 May. General Dostum fled the city and took refuge in Turkey. General Malik then assumed the leadership of NIMA.

4. Seizing the opportunity, the Taliban went on the offensive. During the night of 26 and 27 May, their forces, reinforced by defections from the opposition, gained control of the Salang pass. The Taliban also infiltrated a large number of their troops, estimated at between 5,000 and 10,000, into the areas north of the Hindu Kush for the first time. Those troops were given free passage through Pul-i-Khumri by the Hezb-i-Wahdat faction controlling the area. Some 3,000 troops proceeded to Mazar, and others went to Kunduz and Takhar provinces. A Taliban delegation, led by Mullah Mohammad Ghaus, flew into Mazar-i-Sharif on 27 May for talks with General Malik on coordination between the two forces. However, the infiltrating Taliban forces immediately started to disarm the NIMA and Hezb-i-Wahdat forces and to impose a strict interpretation of the shariah Islamic law, including the closure of girls' schools and a ban on the employment of women.

5. The already complicated situation took another twist on 27 May when General Malik, apparently alarmed by the Taliban's rush to disarm his troops, decided to change sides again and attack the Taliban forces. The attack, launched by the joint forces of General Malik and the Hezb-i-Wahdat, followed the issuance of Malik's order not to surrender arms to the militia. The Taliban forces, outnumbered and outgunned in a place far from their sphere of influence, withdrew from Mazar on 28 May. The Taliban reportedly suffered a few hundred casualties, while several hundred more were taken prisoner. Mullah Ghaus and Mullah Abdul Razzak, Governor of Herat, were among the high-ranking Taliban officials detained by the forces of General Malik.

6. Capitalizing on the Taliban's retreat from Mazar-i-Sharif, Commander Ahmed Shah Massoud, another pillar of the opposition alliance, broke out of the Panjsher valley and cut off the northern side of the Salang tunnel on the Salang/Pul-i-Khumri road on 28 May. The Massoud forces then, on 29 May, took Golbahar and Jabal-os-Siraj, located at the southern end of the Salang pass, effectively trapping an estimated 2,000 Taliban forces north of the Hindu Kush.

7. The deteriorating situation in Mazar-i-Sharif forced the evacuation of staff of the United Nations and non-governmental organizations from the city. The United Nations evacuated a total of 65 international aid workers, journalists and foreign consul staff on 29 and 30 May, although a number of international non-governmental organizations and the International Committee of the Red Cross (ICRC) staff decided to remain in Mazar. the Office of the United Nations High Commissioner for Refugees has been closely monitoring possible refugee movement to neighbouring Uzbekistan, Tajikistan and Turkmenistan.

8. The general situation in the north remains tense and fluid as of the writing of this report. Fighting continues at the western, central and northern fronts, as well as to the north of Kabul. In the west, the front line returned to the Bala Murghab in the province of Badghis. In the central region of Hazarajat, the two sides are locked in battle in the Shebar pass lowland areas around Sheik Ali and Lulenji in Ghorband valley, as well as in Wardak province.

There are reports of renewed military reinforcements by the Taliban in an attempt to resume the drive to conquer the north. The opposition is reported to be gearing up for the necessary defence.

9. The military balance appeared to have tilted in favour of the Taliban when General Malik revolted against General Dostum. However, the situation moved back towards its previous status when General Malik changed his allegiance again a few days later. The Taliban maintain their control of about two thirds of Afghanistan. Among the opposition alliance, the forces of General Malik control the five northern provinces: Faryab, Jowzjan, Saripul, Balkh and Samangan, while Professor Burhanuddin Rabbani and Commander Massoud are in control of Kunduz, Takhar and Badakshan, as well as part of Kapisa. Bamyan is under the control of the Hezb-i-Wahbat, led by Mr. Karim Khalili. General Malik announced on 3 June that the opposition alliance, which had been called the Supreme Council for the Defence of Afghanistan, had been renamed the United Islamic Salvation Front of Afghanistan.

Political situation

10. The political situation in Afghanistan during the period under review was dominated by the military events detailed above. The continued hostilities have made the Afghan factions even more uncompromising and unwilling to accept repeated overtures from the United Nations and others for talks on a ceasefire. Despite the setback suffered in Mazar-i-Sharif, the Taliban still appears determined to attempt to overrun the northern region by force. The opposition is strenuously resisting this. Unabated foreign interference in support of one faction or another has also enabled the antagonists to continue on a confrontational path.

11. The Talibans ambition to capture the north of Afghanistan and to gain control of the entire country further aggravated the concerns of a number of countries in the region, many of which view this as a serious threat to their borders and to the peace and security of the region. Countries in the region and beyond have held extensive consultations at various levels on the evolving Afghan situation. Among the issues discussed in those consultations were the territorial integrity of Afghanistan, the possible outflow of refugees, destabilization of the border areas caused by the fighting in Afghanistan and the flow of illegal arms and drugs.

12. The Afghan situation was discussed at the summit meeting of the 10-member Economic Cooperation Organization held at Ashgabat on 13 and 14 May. At the meeting, central Asian countries expressed their concern at the continuing hostilities in Afghanistan and called for a ceasefire and peaceful negotiations among the parties through the mediation of the United Nations.

13. At its Twelfth Ministerial Conference held at New Delhi from 4 to 8 April, the Movement of the Non-Aligned Countries declared that a military solution to the Afghan conflict was not a desirable objective and called upon all the Afghan parties "to cooperate with United Nations efforts to facilitate national reconciliation and reconstruction of Afghanistan, specifically to mediate an end to the conflict and facilitate the implementation of a comprehensive settlement to be agreed upon by the Afghan parties, which would include, inter alia, an

immediate and durable ceasefire, the demilitarization of Kabul and the establishment of a fully representative and broad-based transitional government of national unity."

14. The question of the representation of Afghanistan remains pending among States concerned. To date, three countries have recognized the Taliban as the legitimate representative of Afghanistan: Pakistan, Saudi Arabia and the United Arab Emirates. Some others continue to recognize the government of Professor Rabbani.

Humanitarian situation

15. The humanitarian situation remained serious and was further aggravated by renewed fighting. A rapid food and nutrition assessment was recently undertaken by United Nations agencies in view of reports that a near-famine was likely to develop in Afghanistan. The assessment report concluded that the situation was difficult but not alarming for the short term. The supply of food from Pakistan had resumed after a temporary halt. The report indicated, however, that although food, particularly cereals, was available in the local markets, the purchasing power of the population was extremely limited. The report recommended that the World Food Programme (WFP) should continue until the end of June 1997 the expansion of its safety net scheme under which an additional 110,000 beneficiaries are covered in Kabul, Jalalabad and Kandahar. It also recommended that donors should meet the food aid requirements of WFP, ICRC and non-governmental organizations. A periodic population-based nutrition survey has been recommended to avert high mortality related to malnutrition. A joint mission of the Food and Agriculture Organization of the United Nations and WFP is currently carrying out a comprehensive assessment of crop production and food aid needs in Afghanistan.

16. On 21 April, the first meeting of the Afghanistan Support Group was convened at Geneva by Mr. Jan Pronk, Minister for Development Cooperation of the Netherlands, facilitated by the United Nations with the participation of donor countries and concerned organizations. The Group discussed key assistance issues with a view to sustaining the consensus reached at the International Forum on Assistance to Afghanistan, held at Ashgabat in January 1997. The Group agreed to support the implementation of a strategic framework and a peace-building programme of international assistance, including emergency relief and reconstruction, and to endorse measures to ensure a common approach on the upholding of women's rights. In addition, it was stressed that the political and non-political aspects of United Nations activities should be more closely linked.

17. The issue of women's and girls' rights remains a priority for the United Nations and the international community. The Department of Humanitarian Affairs sent a mission to Afghanistan in April to review the issue. Its recommendations and those of the Humanitarian/Resident Coordinator are currently under consideration for the purposes of developing a unified position for all United Nations agencies working in Afghanistan.

III. ACTIVITIES AT THE UNITED NATIONS

Meeting of States with influence in Afghanistan

18. On 16 April, I convened the second meeting of Member States with influence in Afghanistan in New York, using the formula that had been adopted for the first meeting held in New York on 18 November 1996. The purpose of the meeting was to reassess the situation following recent political and military developments and to discuss how best to promote a negotiated settlement of the conflict and reinforce the United Nations peacemaking efforts. At my request, the Under-Secretary-General for Political Affairs, Mr. Kieran Prendergast, presided over the meeting, at which the Organization of the Islamic Conference and the following Member States participated: China, Egypt, France, Germany, India, Iran (Islamic Republic of), Italy, Japan, Kazakstan, Kyrgyzstan, Netherlands, Pakistan, Russian Federation, Saudi Arabia, Sweden, Tajikistan, Turkey, Turkmenistan, United Kingdom of Great Britain and Northern Ireland, United States of America and Uzbekistan. I informed the President of the General Assembly and of the Security Council of the results of the meeting by letters dated 1 May (A/51/886-S/1997/347).

19. Mr. Norbert Holl, Head of UNSMA, briefed the meeting participants on the current situation and his peace efforts in Afghanistan. The meeting demonstrated that consensus continued to exist on the grave dangers of continued armed conflict for the region and on the central role of the United Nations in coordinating efforts to achieve a peaceful solution. The participants uniformly appreciated the efforts of Mr. Holl and of UNSMA to promote agreement on a ceasefire and negotiations between the factions. While recognizing the need for all concerned countries to be involved in the search for peace, they also stressed that such initiatives should be coordinated with the United Nations.

20. All participants agreed that the territorial integrity and unity of Afghanistan must be preserved. They supported the view that the only solution to the conflict remained a national accord based on recognition of the legitimate interests and rights of all the Afghan people. There was consensus that all foreign interference must cease, although, as usual, there were differences on how to achieve that goal. The flow of arms into Afghanistan remained a preoccupation, and a number of countries supported an arms embargo, referring to the action taken in that connection by the European Union. Some called for the Security Council to take similar action. Others, however, expressed doubts about the practical effectiveness of such a measure and whether it could be applied in an even-handed manner.

21. There continued to be widespread support for an international conference in due course to support the results of negotiations. A number of concrete proposals were put forward for an intra-Afghan dialogue under the auspices of the United Nations to be held outside Afghanistan, possibly with Member States as observers. Several participants repeated their offer to host negotiations and/or a conference. Many favoured the expansion of United Nations consultations beyond the leadership of the factions to include broadly representative Afghan communities and personalities. Some particularly supported the intensification of the contacts of Mr. Holl and the Special Mission with concerned States.

22. All participants voiced their distress at the continued plight of the Afghan people, with special attention drawn to women and girls. Several emphasized the connection between a political settlement, rehabilitation, reconstruction and peace-building.

Activities of the Security Council

23. The Security Council continued to be seized of the developments in Afghanistan and requested to be kept regularly informed of the recent events in the country and of the activities of UNSMA. The Council held several consultations on Afghanistan during the period under review, and repeatedly renewed its call to the warring factions for a ceasefire and for peaceful negotiations through the United Nations.

IV. ACTIVITIES OF THE SPECIAL MISSION

24. Despite the difficulties caused by the prolonged hostilities, UNSMA continued its pursuit of an immediate ceasefire and negotiations, through its good offices, between the warring parties. On 7 April, Mr. Holl briefed me in New Delhi on the recent developments in Afghanistan and on the activities of the Special Mission. He then travelled to New York for consultations with senior Secretariat officials. On 14 April, Mr. Holl briefed the Security Council on Afghanistan and then participated in the second meeting of countries with influence in Afghanistan on 16 April. On 21 April, Mr. Holl took part in a meeting of the Afghanistan Support Group at Geneva, where the issues of continued humanitarian assistance and support to the United Nations peace mission in Afghanistan were the focus of the discussion.

25. Mr. Holl and his team maintained regular contact and held several meetings with the leaders of the Taliban and the opposition alliance, as well as with other Afghan personalities. Mr. Holl's interlocutors among the Taliban leaders included the Taliban acting Foreign Minister Mullah Ghaus, and his deputy, Mullah Jalil Akhund, and the Governor of Kandahar, Mullah Mohammed Hassan. The opposition leaders Mr. Holl met included General Dostum, Commander Massoud, Professor Rabbani and Mr. Khalili. All the meetings were held in Afghanistan.

26. As part of the United Nations peacemaking efforts, Mr. Holl tried to convene a meeting between leaders of the Taliban and the opposition at a mutually agreeable place, such as Islamabad or Ashgabat, in the first part of April 1997. This high-level political meeting was intended to follow up on the two meetings of the Intra-Afghan Working Group, which the Special Mission had convened at Islamabad in January and February 1997. However, despite all efforts, the meeting failed to take place, largely because of differences between the parties on the venue, level and composition of the representation.

27. The Head of the Special Mission held consultations in various capitals in the region and beyond, including Washington, London, Islamabad, Moscow and New Delhi, and met officials of several other interested countries.

V. OBSERVATIONS AND CONCLUSIONS

28. Recent events have proved yet again that the question of Afghanistan is not susceptible to a solution by force. The imposition of one party's will over others, even if it appears to be successful in the very short term, cannot bring lasting peace and stability to the country and the region. This conviction is held not only by me but also by the international community at large. The futility of continued fighting in Afghanistan has been repeatedly underlined by Member States at such occasions as the second meeting of the countries with influence in Afghanistan, as well as by the Security Council.

29. The situation in Afghanistan remains volatile. The warring parties seem bent on resolving their problems through military means rather than through peaceful negotiations and have paid no attention to the many calls by the Security Council, the Head of the Special Mission and other countries for a ceasefire and dialogue. To make matters worse, the conflict is increasingly being fuelled by strong ethnic feelings between the predominantly Pushtun Taliban on the one hand and the Tajiks, Hazaras and Uzbeks, who comprise the opposition camp, on the other. All Member States concerned claim to agree that peace is needed in Afghanistan, but it appears that a number of them are not yet ready to put concerted pressure on the warring factions to stop this senseless civil war.

30. While the warring parties have shown little interest in a peaceful solution, it is noteworthy that some individuals and groups of Afghans have taken initiatives to mobilize moderate, influential Afghans inside and outside Afghanistan who are not directly involved in the ongoing fighting. Insofar as those Afghan initiatives aim to give a voice to the majority in Afghan society who have been silenced by the prolonged warfare, I regard them as very positive. Mr. Holl is closely following up on the initiatives and is reporting to me on a regular basis.

31. The 1997 United Nations Consolidated Appeal for Emergency Humanitarian Assistance for Afghanistan, which is seeking US$ 133 million, has so far received contributions totalling $26.7 million, which is only about 20 per cent of the requirements. This is not enough for the United Nations to sustain humanitarian activities at a satisfactory level. I should therefore like to urge the international community to provide generous support to the United Nations Appeal for the impoverished people of Afghanistan.

32. Prospects for peace are bleak for the immediate future, but I am determined to pursue a negotiated solution to the Afghan problem. The potential cost of inaction is too high. The overwhelming desire for peace among the majority of the Afghan people is undeniable. I should therefore like to conclude the present report by repeating my appeal to the Afghan factions to come to their senses and to return to the negotiating table immediately. I should also like to call upon the Member States concerned to cease their military support to the warring factions, to address in a more substantive way how best to resolve the Afghan conflict and to coordinate their efforts in this regard closely with the United Nations.

UNITED NATIONS

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General Assembly
Security Council

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GENERAL ASSEMBLY
Fifty-first session
Agenda item 110
HUMAN RIGHTS QUESTIONS

SECURITY COUNCIL
Fifty-second year

Identical letters dated 23 June 1997 from the Secretary-General addressed to the President of the General Assembly and to the President of the Security Council

I attach a letter dated 21 June 1997 which I have received from the two Prime Ministers of the Royal Government of Cambodia in which they "ask for the assistance of the United Nations and the international community in bringing to justice those persons responsible for the genocide and crimes against humanity during the rule of the Khmer Rouge from 1975 to 1979" (see annex).

The facts which gave rise to the request remain unclear. The Office of my Representative in Cambodia is presently seeking to clarify the situation, while the Secretariat is examining the legal and institutional issues involved. The letter is brought to your attention for any action which may be deemed appropriate.

(Signed) Kofi A. ANNAN

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ANNEX

Letter dated 21 June 1997 from the First and Second Prime Ministers of Cambodia addressed to the Secretary-General

On behalf of the Government and people of Cambodia, we write to you to ask for the assistance of the United Nations and the international community in bringing to justice those persons responsible for the genocide and crimes against humanity during the rule of the Khmer Rouge from 1975 to 1979.

In its resolution 1997/49 of April 1997 on Cambodia, the Commission on Human Rights requested:

> "the Secretary-General, through his Special Representative, in collaboration with the Centre for Human Rights, to examine any request by Cambodia for assistance in responding to past serious violations of Cambodian and international law as a means of bringing about national reconciliation, strengthening democracy and addressing the issue of individual accountability."

Cambodia does not have the resources or expertise to conduct this very important procedure. Thus, we believe it is necessary to ask for the assistance of the United Nations. We are aware of similar efforts to respond to the genocide and crimes against humanity in Rwanda and the former Yugoslavia, and ask that similar assistance be given to Cambodia.

We believe that crimes of this magnitude are of concern to all persons in the world, as they greatly diminish respect for the most basic human right, the right to life. We hope that the United Nations and the international community can assist the Cambodian people in establishing the truth about this period and bringing those responsible to justice. Only in this way can this tragedy be brought to a full and final conclusion.

(Signed) Prince NORODOM Ranariddh
First Prime Minister

(Signed) HUN Sen
Second Prime Minister

UNITED NATIONS **A S**

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QUESTION OF CYPRUS
HUMAN RIGHTS QUESTIONS

SECURITY COUNCIL
Fifty-second year

Letter dated 23 June 1997 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention, as well as that of the membership of the General Assembly and the Security Council, to recent actions of the illegal regime in the Turkish-occupied areas of Cyprus in violation of the Third Vienna Agreement of 2 August 1975 and the relevant provisions of the Security Council resolutions concerning the basic freedoms and living conditions of the enclaved persons in the occupied part of Cyprus.

The illegal regime did not permit 10 out of 33 students of the enclaved, between the ages of 16 and 21, attending school in the Government-controlled area of Cyprus, to return to Rizokarpaso and Ayia Triada to spend the summer holidays with their families. Furthermore, without any explanation, it prohibited the teacher, Mrs. Eleni Foka, from returning to her village, Ayia Triada.

The Cyprus Commissioner for Humanitarian Affairs was informed through the United Nations Peacekeeping Force in Cyprus (UNFICYP) that the reason the 10 students were prohibited from returning was that the boys had reached the age of 16 and the girls, 18.

This policy of the Turkish side runs counter to the Third Vienna Agreement, as well as to the recommendations of UNFICYP contained in your report (S/1995/1020), dated 10 December 1995, which stipulate that: "All Karpas Greek Cypriot students attending secondary schools or third-level institutions in the south should be allowed to return to their homes on weekends and holidays".

The Security Council, in its resolution 1032 (1995) of 19 December 1995, supported and confirmed UNFICYP's recommendations and decided to keep the matter under review.

The intolerable humanitarian situation in the occupied area is also referred to in your report to the United Nations Commission on Human Rights (E/CN.4/1997/48) dated 7 February 1997 and your reports to the Security Council dated 7 June (S/1996/411) and 10 December 1996 (S/1996/1016) and 5 June 1997 (S/1997/437), which indicate the violations by the Turkish side of the Third Vienna Agreement.

In its resolution 1062 (1996) of 28 June 1996, the Security Council called upon the Turkish side to respect fully the basic freedoms of the enclaved persons in the occupied area.

The Security Council in its latest resolution, resolution 1092 (1996) of 23 December 1996, welcomed the efforts by UNFICYP to implement its humanitarian mandate in the occupied area, and regretted that there was no further progress on the implementation of the recommendations arising out of UNFICYP's humanitarian review in 1995.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest the above-mentioned violations of the Third Vienna Agreement as well as of the provisions of the relevant United Nations resolutions and universally accepted principles contained in the human rights Conventions.

I would therefore also call upon you to take the necessary measures to ensure that the basic freedoms and the human rights of the enclaved persons in the occupied area are fully respected and exercised, and also to take those appropriate steps towards the Turkish side which would allow the 10 students and Mrs. Foka to return to their homes and villages.

I should be grateful if you would circulate the text of the present letter as an official document of the General Assembly under agenda items 58 and 110, and of the Security Council.

(Signed) Nicos AGATHOCLEOUS
Ambassador
Permanent Representative
of the Republic of Cyprus

UNITED
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General Assembly
Security Council

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Agenda item 58
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-second year

Letter dated 23 June 1997 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to draw your attention to new violations of the airspace of the Republic of Cyprus and of the flight information region of Nicosia by military aircraft of the Turkish Air Force, recorded on 22 June 1997.

On 22 June, from 0815 to 1100 hours, 12 F-16 Turkish jet fighter planes and two C-160 Turkish military planes flying in a south-easterly direction violated the Nicosia flight information region. Later, at 1328 hours on the same day, the two C-160 Turkish military planes re-entered the flight information region and one of the two planes violated the national airspace of the Republic of Cyprus by flying over the area of Ayia Napa and then exited in a north-westerly direction.

Such unauthorized intrusions into the Nicosia flight information region and the airspace of the Republic are in violation of international air traffic rules and seriously endanger civil aviation flights over Cyprus. At the same time, they are in contravention of the provisions of repeated resolutions of the Security Council on Cyprus, which state that such overflights increase political tension on the island and undermine efforts towards achieving a final settlement.

On behalf of the Government of the Republic of Cyprus, I wish to strongly protest against the new violations of the sovereignty and territorial integrity of the Republic of Cyprus, which are in complete disregard of international law, the Charter of the United Nations and the relevant decisions of the Organization on the question of Cyprus.

Moreover, it should be pointed out that these violations which heighten tension in Cyprus are taking place at a most sensitive phase of the efforts to resume the intercommunal talks under your auspices.

I should be grateful if you would have the text of the present letter circulated as a document of the General Assembly under agenda item 58, and of the Security Council.

(Signed) Nicos AGATHOCLEOUS
Ambassador
Permanent Representative